

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address

Michael Jones, SBN 271574
Sara Tidd, SBN 259741
M. Jones and Associates, PC
505 N Tustin Ave, Ste 105
Santa Ana, California 92705
Telephone: (714) 795-2346
Facsimile: (888) 341-5213
Email: sara@mjonessoc.com

FOR COURT USE ONLY

☐ Individual appearing without attorney
☒ Attorney for: Debtor

In re:
Ruben Daryl Baerga

CHAPTER: 11

NOTICE OF SALE OF ESTATE PROPERTY

Debtor(s).

Sale Date: 10/06/2020

Time: 10:00 am

Location: 255 E. Temple Street, Courtroom 1688, Los Angeles, CA 90012

Last date to file objections: 09/22/2020

380 Panama Avenue, Long Beach, CA 90814

Please refer to the Purchase Agreement attached to the Motion on the docket.

December 2012

Overbid procedure (if any):

Please see attached.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Date: October 6, 2020

Time: 10:00 am

Location: 255 E. Temple Street, Courtroom 1688, Los Angeles, CA 90012

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Michael Jones, Esq.

505 N Tustin Ave., Suite 105, Santa Ana, CA 92705

Phone: 714-795-2346

Fax: 888-341-5213

Email: mike@mjonesoc.com

Date: 09/11/2020

OVERBIDDING PROCEDURES

- a. Buyer is expected to remove all contingencies from its offer by the date of the hearing on this motion. All prospective overbids must be non-contingent (including no appraisal/inspection or financing qualification contingencies). Debtor and his agents will work with all prospective bidders to allow access for the purpose of removing contingencies.
- b. Interested parties may submit non-contingent overbids by September 28, 2020, in an amount no less than \$10,000.00 more than Buyer's base bid. All bidders must submit their signed offers with an earnest money deposit of \$50,000.00, and proof of funds or financing qualification. The deposits of unsuccessful bidders will be returned following the closing of bidding. Debtor or his agents will submit a counter-offer to qualified bidders which contains various provisions related to the bankruptcy (including that the sale is "as is, where is", with no guarantees or warranties, that the earnest money deposit will be forfeited if the successful bidder fails to close, etc.) A bid is not a Qualified Bid until the bidder has submitted its original non-contingent offer, provided proof of funds, tendered the earnest money deposit, and executed the counter-offer. Those parties who submit Qualified Bids timely will be considered Qualified Buyers.
- c. On September 28, 2020, Debtor or his agents will communicate to all Qualified Bidders the amount of the highest bid, and will schedule within five (5) business days a telephonic or electronic conference among bidders, for the purpose of continued bidding. The Debtor or his agents will endeavor to schedule the conference at the convenience of all Qualified Bidders, but scheduling is within

his discretion, and if a bidder is unable to participate, that bidder's only remedy is the return of the earnest money deposit.

- d. At the conference, Debtor or his agent, personally or through counsel, will continue the bidding among the Qualified Bidders with minimum bidding increments of \$5,000.00 until a single high bid is reached. Debtor or his agents are authorized to close the sale of the Property to the highest bidder identified through this process, without further Court Order.
- e. The high bidder must close escrow within twenty-one (21) calendar days following confirmation by Debtor or his agents of its successful bid.
- f. If the high bidder fails to close timely, Debtor or his agents are authorized to close the sale of the Property to the next-highest qualified bidder at the next-highest bid price, without further Court Order.
- g. The Debtor or his agents/attorney will file an appropriate Report of Sale with the Court following the closing of the sale, reflecting the buyer, ultimate price and other information as required under applicable Bankruptcy Rules and/or Local Rules.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
505 N Tustin Ave., Suite 105, Santa Ana, CA 92705

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* 09/11/2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On *(date)* 09/11/2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

09/11/2020
Date

Sara Tidd
Printed Name

/s/Sara Tidd
Signature

ECF Mailing List

- **Theron S Covey** tcovey@rasflaw.com
- **Michael Jones** mike@mjthelawyer.com,
2651971420@filings.docketbird.com
- **Ron Maroko** ron.maroko@usdoj.gov
- **United States Trustee (LA)** ustpreion16.la.ecf@usdoj.gov

Label Matrix for local noticing

0973-2

Case 2:20-bk-11379-BR

Central District of California

Los Angeles

Tue Apr 14 12:44:37 PDT 2020

Los Angeles Division

255 East Temple Street,

Los Angeles, CA 90012-3332

COLDWELL BANKER
610 Pacific Coast Hwy #100
Seal Beach, CA 90740-6649

Diversified Adjustment
600 Coon Rapids Blvd Nw
Coon Rapids, MN 55433-5549

Robertson, Anschutz, Schneid & Crane LLC
10700 Abbott's Bridge Road, Suite 1
Duluth, GA 30097-8458

FRANCHISE TAX BOARD
BANKRUPTCY SECTION MS A340
PO BOX 2952
SACRAMENTO CA 95812-2952

Fay Servicing
939 W North Ave Ste 680
Chicago, IL 60642-1231

Franchise Tax Board Bankruptcy Section, MS:
P. O. Box 2952
Sacramento, CA 95812-2952

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Navy Federal Credit Union
P.O. Box 3000
Merrifield, VA 22119-3000

Navy Federal Credit Union
Po Box 3700
Merrifield, VA 22119-3700

Nelnet
121 South 13th Street, Suite 201
Lincoln, NE 68508-1922

Nelnet Lns
Po Box 1649
Denver, CO 80201-1649

Regina Baerga
380 Panama Ave
Long Beach, CA 90814-1918

Tiffany Damato
56 Cypress St
Long Beach, CA 90814

United States Trustee (LA)
915 Wilshire Blvd, Suite 1850
Los Angeles, CA 90017-3560

Michael Jones
M Jones & Associates, PC
505 N Tustin Ave Ste 105
Santa Ana, CA 92705-3735

Ruben Daryl Baerga
380 Panama Ave
Long Beach, CA 90814-1918

End of Label Matrix
Mailable recipients 17
Bypassed recipients 0
Total 17